

A short guide to

The Maastricht Treaty

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What Maastricht is about — and not about

The Maastricht Treaty is vitally important for Ireland.

The significance of Maastricht is that it takes a major new step towards European Union — the ideal that has driven the EC for over 30 years. The Irish people will benefit massively by taking part in that forward movement. Staying out could only be devastating, for us and for future generations.

Here in Ireland, ratifying the Treaty requires a referendum. This referendum is now set for June 18th. It is important that we ratify the Treaty as soon as possible, to strengthen our hand in the negotiations later this year about increases in EC support for our economic development.

On this, we need to be clear on two things.

First, it is not open to us to vote against Maastricht and then request our partners to renegotiate the Treaty with us. If we reject the Treaty, the strong likelihood is that our partners would go ahead with the Union without us. We would be unable to influence decisions vital to our interests, including decisions on support funds. This would be an absurd position for us, with so many other countries queueing up to join the EC.

Next, the Maastricht Treaty is *not* about introducing abortion into Ireland.

To emphasise the fact that it would not interfere with our Constitutional provisions in that area, the Government negotiated last November a special Protocol — a protection

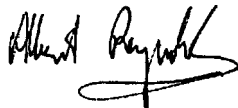
clause — confirming that the Treaty would have no effect on the application in Ireland of the right to life article in our Constitution.

The recent Supreme Court judgement makes it necessary for further Constitutional amendment and new legislation to regularise our position on abortion. The Government are working urgently on this so that it can be done by November.

Member States are unable to re-open negotiations on the Treaty to allow us to change our Protocol before ratification. But in the meantime, they have solemnly declared that they will look favourably on amending the Irish Protocol afterwards to reflect any future change in our Constitution on abortion. They and the Government have also solemnly declared, as their legal interpretation of the Protocol, their intention that it will not in any way limit Irish rights under European law to travel within the EC, or to information (which will be regulated by Irish law) about services lawfully available in other countries. So there is no benefit in an abortion referendum being held first.

The meaning is clear: all Irish people can vote in the Maastricht referendum *solely* on the issues affecting European Union. They may do so safe in the knowledge that all matters relating to abortion will be resolved later in the year, through further referendum and legislation.

The purpose of this short guide is to give an introduction to the real issues for Ireland in the Maastricht Treaty. On behalf of the Government, I urge you to study it and to support the Constitutional amendment that is being put to the people on June 18th.

A handwritten signature in black ink, appearing to read 'Albert Reynolds', with a stylized flourish at the end.

An Taoiseach

Maastricht — a good deal for Ireland

By ratifying Maastricht we will make it possible for Ireland to go on enjoying the very considerable economic benefits of EC membership.

- Irish agriculture has benefited massively from the Common Agricultural Policy, and will go on doing so after it is reformed. Outside the EC, Irish farmers would only get the much lower world prices — sometimes as low as one-third of what they get in the EC.
- Support from the EC Structural Funds (£3 billion in the current phase) is providing resources to help us compete internationally and improve the quality of our lives.
- Our EC membership has opened up to Irish industry a market of 340 million people. It has also made Ireland an attractive location for large international firms.
- Recent research by the ESRI forecasts that the combined effect of EC support and the Single European Market could raise our GNP 7% to 8% higher than it would otherwise be, by the year 2000.
- Since three-quarters of our exports go to EC countries, our future will depend on Europe whether we are EC members or not. But *inside* the EC, we have influence on what the EC does — outside it we would have none. It is precisely because being inside the EC is so valuable that many additional countries now want to join — countries like Austria, Sweden and Finland.

But Maastricht means not just that the benefits we now enjoy will continue. It also offers Ireland very substantial extra benefits.

- A greatly strengthened commitment to close the prosperity gap between us and better-off EC regions.
- Greatly enhanced support from the EC to accelerate our economic development.
- The permanent benefits that will flow from economic and monetary union, including a single currency.
- The benefits that will flow from extending EC co-operation into new areas that are centrally important to us, such as education and social policy.

And apart altogether from the economic benefits, Maastricht offers us the chance to play a full part in the development of the 21st century Europe.

- European Union is an ideal that Ireland has subscribed to, and worked towards, since we first applied for membership of the EC over 30 years ago. We now have the opportunity to move further down that road.
- The political structures of Europe give Ireland a voice that we could never have on our own. This allows us to contribute our values to the European consensus.
- Though we rightly cherish our own national identity, we are also part of a wider European culture. We can enrich our own heritage in the wider European context, and contribute to Europe's culture.

In negotiating the Maastricht Treaty, the Government ensured that all Ireland's interests were taken fully into account. They now commend the Treaty to the people as an opportunity the country cannot afford to pass up.

Economic and monetary union: towards a single currency for Europe

One of the most important aspects of Maastricht is that it lays the basis for economic and monetary union in Europe before the end of the century.

A major Irish aim in the negotiations was to ensure that we could take part in this union from the beginning, and so share in the benefits it can bring.

Economic and monetary union (or EMU) will boost economic activity in every EC country. But we will benefit in particular because our growth depends so much on foreign trade.

It will be easier for us to trade across the EC – and cheaper, because currency transaction costs and exchange risks will be gone. EMU will help create a climate of low inflation which will benefit employment, growth and investment. It should also make it easier for us to attract foreign capital, and reduce interest rates.

This union builds on the existing European Monetary System that Ireland has been a member of since it began in 1979. The road to EMU is in three stages:

- 1 Laying the Foundation**
(already begun)
- 2 Moving towards Union**
(from 1994)
- 3 Completing the Union**
(by 1999 at latest)

1 Laying the Foundation

This preliminary stage, which began in 1990, involves completing the Single European Market and strengthening the co-ordination of the 12 countries' economic and monetary policies. This will bring our different economies closer together.

2 Moving towards Union

In this transition stage, which will begin in 1994, the co-ordination of economic and monetary policies will intensify.

Each country will still be responsible for its own policies, but within broad overall guidelines and subject to limits on budget deficits and constraints on financing.

3 Completing the Union

The final stage will begin in 1999 at the latest, though it can happen earlier if the economies have come close enough together to make union possible.

A European System of Central Banks will be set up. This will consist of a new European Central Bank, together with each country's own central bank. The European Central Bank, whose Governing Council will include the Governors of the national central banks, will be independent of Governments. The bank will set the EC's single monetary policy and put it into action.

Following a period of locked exchange rates, the ecu will become Europe's single currency.

The co-ordination of economic policies will be further strengthened; this will include sanctions for excessive budget deficits.

Closing the prosperity gap: sharing wealth in the EC

The Maastricht Treaty will mean a stronger EC commitment than ever before to accelerate the development of less well-off regions such as Ireland. Existing supports benefiting Ireland will be increased and new ones added.

It has always been a major Irish aim, shared by our partners, to close the prosperity gap between the different regions within the EC .

Under the Single European Act, the "Structural Funds" were doubled. These funds speed up our development by financing industry and tourism, vocational training, our road system, our ports and many other projects. Ireland has already begun to benefit substantially — to the tune of £3 billion.

Now the Maastricht Treaty will again increase this support, and widen its scope.

To strengthen the EC's commitment to closing the prosperity gap, two important new requirements are built into the Treaty:

- ☐ It will now be a binding Treaty requirement that the objective of closing the gap *must* be taken into account when all EC policies are being drawn up and acted on.
- ☐ From now on, the EC Commission must report regularly on progress on closing the gap, and make any follow-up proposals to ensure the objectives are realised. The follow-up measures could include entirely new supports.

The Maastricht Treaty not only strengthens the EC's commitment to closing the prosperity gap. It also lays down practical measures to achieve it. These include:

❑ **New Cohesion Fund**

A new "Cohesion Fund", extra to all the present Structural Funds, will be set up next year. It will be restricted to Ireland and just three other countries (Greece, Portugal and Spain).

This fund will support the upgrading of transport links in "trans-European networks". This is of vital interest to Ireland because of our position on the edge of the EC, remote from markets.

The Cohesion Fund will also help countries meet the cost of meeting EC environmental legislation.

❑ **Improved Structural Funds**

The Treaty includes a commitment to evaluate how the existing Structural Funds are working. This will include a review of the size these funds now need to be, to meet the commitment to close the prosperity gap.

Greater flexibility will extend Structural Funds to some areas excluded up to now — including new education schemes.

For countries like Ireland there will be less pressure to put up matching funds before qualifying for support. This will allow us to make the fullest use of the Structural Funds, while still respecting our need to control public spending.

❑ **The "Delors Package"**

The EC Commission has already produced budget proposals for the first five years under Maastricht. These envisage a very substantial increase in support to the four countries, including Ireland, most affected by the prosperity gap.

Broadening the scope of the EC

Maastricht extends EC co-operation to areas where it has not been active up to now, and deepens its involvement in others. All of these extensions benefit Ireland, and some are highly important to us.

❑ New or widened areas of action

- *Education, Vocational Training and Youth.* EC activity will be greatly extended — particularly in adding a European dimension to education, encouraging mobility of both students and teachers, and helping adapt to industrial changes through vocational training.
- *Public health.* Much greater co-operation in fighting major health scourges will now be possible.
- *Consumer protection.* The EC will supplement national policies to protect the health, safety and economic interests of consumers, and to provide information.
- *Culture.* The EC will foster awareness of Europe's common cultural heritage, while fully respecting and encouraging the cultures of individual regions.
- *Industry, Research & Development, Environment, Development Co-operation.* EC activities in these areas will also be extended.

As well as broadening the scope of EC activity, the Maastricht Treaty also spells out the important guiding principle that the EC acts *only* when it can be more effective than can individual countries acting alone.

❑ Working together on Justice and Home Affairs

The Maastricht Treaty will increase co-operation between EC countries in several important areas.

These include immigration and asylum, the fight against drugs, the prevention of fraud, judicial co-operation in civil and criminal law, and co-operation by police and customs to combat international crime.

This extends the informal co-operation which has been taking place between EC countries for many years. There is now a need to strengthen it, as barriers are lowered within the Single Market.

Because some of these issues are sensitive, much of this co-operation will take place directly between Governments.

❑ Working together on Social Policy

Included in the Maastricht Treaty is an agreement on social policy by all EC countries except the UK. Ireland joined in because the Government are determined to maintain Ireland's position in the mainstream of European development.

The first objective of this policy is to promote employment – an Irish proposal and an Irish priority. It will strengthen the role of the social partners in EC policy-making, an approach that has proved its value in Ireland.

This policy will make possible faster decisions on social measures such as working conditions, worker information and consultation, and equality between women and men. Some sensitive social issues, like pay and trade union law, will still be decided entirely at national level.

The agreement stresses that social measures must not unduly burden small and medium-size enterprises. This is important to Ireland because so many of our companies are in that category.

Strengthening EC institutions

The Maastricht Treaty will improve the working of the EC, by strengthening existing institutions and introducing new elements. But the careful balance between the EC institutions will be kept.

❑ New: European Citizenship

The Treaty introduces the idea of European citizenship, which people will enjoy in addition to their own national citizenship. This will widen further the rights available to individual Irish citizens.

European citizenship carries with it the right to live anywhere in the EC, the right to vote and to stand in local and European elections in whatever country you live in.

❑ New: A Committee of the Regions

To widen the involvement of people throughout the EC in decision-making, a new Committee of the Regions will be consulted on all new legislation in certain areas (these include health, education and culture). The Committee will have 189 members, nine of them from Ireland.

❑ New: An EC Ombudsman

An EC ombudsman will be appointed, to whom any EC citizen can appeal about matters to do with the working of EC policies. This is an important additional protection for the interests of the individual citizen in the EC.

❑ Strengthening the European Parliament

The European Parliament will become more deeply involved in the detailed operation of the EC.

- It will, for instance, now have the right to call on the European Commission to initiate legislation on a particular topic.
- * Parliament's approval will be needed in more areas (such as the appointment of the Commission), and it will also have the power to reject certain types of legislation.
- The Parliament will appoint the ombudsman and will be open to receive petitions directly from EC citizens.

❑ Longer term of office for Commission

The European Commission will now be appointed for five years instead of four, bringing its term into line with that of the European Parliament.

❑ Increasing the effectiveness of the European Court of Justice

Apart from streamlining some work arrangements of the Court, the Treaty introduces legal machinery to ensure that EC countries fulfil their treaty obligations by imposing penalties if they fail to comply.

❑ Council of Ministers still the centre of decision-making

The Council of Ministers will remain the centre of decision-making power in the EC. This suits Irish interests, and ensures that our concerns as a small country are fully considered at every stage.

Working together on foreign and security policy

The Maastricht Treaty strengthens the ability of EC countries to work together on international issues, on matters of common interest to all.

Since the beginning of the EC, members have worked together on foreign policy. They sought to develop a voice for Europe in world affairs that would be more influential than any single country could be. Recent issues covered by this include the crisis in Yugoslavia, the changes in Eastern Europe and the former Soviet Union, human rights and apartheid.

In this process —called European Political Co-Operation — Ireland has played a full part since we joined the EC. The Single European Act strengthened these informal arrangements, and the new Treaty is another step forward.

Apart from setting out general objectives for a Common Foreign and Security Policy, the Maastricht Treaty commits member States to co-operating systematically in the task of defining common positions on international issues.

It broadens the range of matters that can be dealt with, and it develops the idea of joint political and diplomatic action. Defence issues are specifically *excluded* from “joint action” — though the EC can refer such issues to another body, the Western European Union (some of whose meetings Ireland has attended as an observer, but of which Ireland is not a member). After four years, another Intergovernmental Conference may consider the framing of a common defence policy.

In negotiating this part of the Treaty, Ireland set out to further three major aims:

- ❑ To ensure peace and stability in Europe and beyond, not least because they are essential to our economic growth.
- ❑ To ensure that our values are reflected fully in EC policy. These values include a strong commitment to solving disputes peacefully, to respect for human rights and fundamental freedoms, and to disarmament and nuclear non-proliferation.
- ❑ To ensure that our traditional position on security and defence matters is not prejudiced.

Very strong safeguards for Ireland's position are built into the Maastricht Treaty. These include:

- ❑ The Treaty does *not* set up a common defence policy. *It contains no mutual defence commitments whatever. Conscription cannot be introduced in Ireland, or imposed in Ireland, through the Treaty.*
- ❑ All decisions on foreign and security policy will be unanimous, so *Ireland cannot be outvoted*. Any exception to this rule, to permit majority voting in limited areas, must itself be agreed unanimously – giving Ireland the same safeguard. Any decision to refer a matter to the Western European Union must also be unanimous.
- ❑ The whole area of foreign and security policy stays outside the framework of the EC as such. Instead, it will continue to be agreed by the Governments working directly together. For instance, in this area the European Court of Justice has no role.
- ❑ In the 1996 Intergovernmental Conference, all decisions must be taken unanimously. *By ratifying Maastricht, we do not close our options* for those negotiations.

Solemn Declaration

The High Contracting Parties to the Treaty on European Union signed at Maastricht on the 7th day of February 1992

Having considered the terms of Protocol No 17 to the said Treaty on European Union which is annexed to that Treaty and to the Treaties establishing the European Communities

Hereby give the following legal interpretation:

that it was and is their intention that the Protocol shall not limit freedom either to travel between Member States or, in accordance with conditions which may be laid down, in conformity with Community law, by Irish legislation, to obtain or make available in Ireland, information relating to services lawfully available in Member States.

At the same time the High Contracting Parties solemnly declare that, in the event of a future constitutional amendment in Ireland which concerns the subject matter of Article 40.3.3 of the Constitution of Ireland and which does not conflict with the intention of the High Contracting Parties hereinbefore expressed, they will, following the entry into force of the Treaty on European Union, be favourably disposed to amending the said Protocol so as to extend its application to such constitutional amendment if Ireland so requests.

More about Maastricht?

The Government White Paper on European Union
The Treaty on European Union
are now on sale from the Government Publications Sale Office and from booksellers, and may be inspected at main post offices and public libraries.